

MONDAY, MARCH 6, 2000
SIXTIETH LEGISLATIVE DAY

The House met at 5:00 p.m. and was called to order by Mr. Speaker Naifeh.

The proceedings were opened with prayer by Dr. E. Claude Gardner, Freed-Hardeman University, Henderson, Tennessee.

Representative John DeBerry led the House in the Pledge of Allegiance to the Flag.

RECOGNITION IN THE WELL

Rep. J. DeBerry was recognized in the Well to introduce the Freed-Hardeman University a cappella Chorus.

ROLL CALL

The roll call was taken with the following results:

Present 96

Representatives present were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Cocke), Davis (Washington), DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Hagood, Hargett, Hargrove, Harwell, Hassell, Head, Hood, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Mumpower, Newton, Odom, Patton, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stulce, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 96.

EXCUSED

The Speaker announced that the following member(s) has/have been excused, pursuant to request(s) under **Rule No. 20**:

Representative Phelan; family death.

SPONSORS ADDED

Under **Rule No. 43**, the following members were permitted to add their names as sponsors as indicated below, the prime sponsor of each having agreed to such addition:

House Joint Resolution No. 411: Rep(s). Sharp as prime sponsor(s).

House Joint Resolution No. 503: Rep(s). Langster as prime sponsor(s).

House Joint Resolution No. 505: Rep(s). Todd as prime sponsor(s).

House Joint Resolution No. 507: Rep(s). Hargrove and Walley as prime sponsor(s).

House Bill No. 2472: Rep(s). Buttry and McDaniel as prime sponsor(s).

INTRODUCTION OF RESOLUTIONS

On motion, pursuant to **Rule No. 17**, the resolution(s) listed was/were introduced and referred to the appropriate Committee:

***House Joint Resolution No. 499** -- Highway Signs - "Corporal Terry Lee Dillard Memorial Bridge," Spring Creek on S.R. 141 in Wilson County. by *Bone.

House Transportation Committee

RESOLUTIONS

Pursuant to **Rule No. 17**, the following resolution(s) was/were introduced and placed on the Consent Calendar for March 9, 2000:

House Resolution No. 144 -- Memorials, Public Service - Dianne Hall, General Assembly Legislative Nurse. by *Kent, *Cole (Carter).

House Resolution No. 145 -- Memorials, Recognition - Top Ladies of Distinction, Inc., 19th Area IV Leadership Conference. by *Bowers.

House Joint Resolution No. 510 -- Memorials, Professional Achievement - James M. Vaughn, Vice-President, Stewardship of Historic Sites, National Trust for Historic Preservation. by *West.

House Joint Resolution No. 511 -- Memorials, Professional Achievement - Steve Smith, National Grocers Association Chairman. by *Mumpower.

House Joint Resolution No. 512 -- Memorials, Death - Robert Young. by *Jones U (Shelby), *Miller L, *Pleasant, *Todd, *Kent.

INTRODUCTION OF BILLS

On motion, the following bills were introduced and passed first consideration:

House Bill No. 3288 -- Gallatin - Subject to local approval, creates office of director of leisure services. Amends Chapter 67 of the Private Acts of 1953; as amended. by *Black, *McDonald.

House Bill No. 3290 -- Fayette County - Subject to local approval, authorizes special wheel or privilege tax for retirement of debt for school construction. by *Walley, *Naifeh.

House Bill No. 3291 -- Gordonsville - Subject to local approval, rewrites charter. Amends Chapter 280 of the Acts of 1909; as amended. by *Buck.

DELAYED BILLS REFERRED

Pursuant to **Rule No. 77**, having been prefiled for introduction, House Bill(s) No(s). 3292, was/were referred to the Delayed Bills Committee.

***House Bill No. 3292** -- Hazardous Materials - Requires parties responsible for hazardous waste incidents to reimburse municipalities or counties for expenses incurred relative to cleanup and containment of such hazardous materials. Amends TCA Title 68, Chapter 212. by *Patton.

SENATE BILLS TRANSMITTED

On motion, the Senate Bills listed below, transmitted to the House, were held on the Clerk's desk pending third consideration of the companion House Bill as noted:

Senate Bill No. 3093 -- Local Government, General - Allows local governmental entities to transfer fire protection assets purchased with federal or state grants to registered, non profit volunteer fire departments. Amends TCA Title 12, Chapter 3, Part 10. by *McNally, *Crowe, *Fowler. (*HB3021 by *Cole (Carter))

Senate Bill No. 3115 -- State Employees - Requires minimum of three days to be deducted from state employee's personal accumulation of sick leave when employee elects to participate in sick leave bank. Amends TCA Title 8. by *Cooper. (*HB3043 by *Jones U (Shelby))

***Senate Bill No. 2273** -- Sentencing - Adds enhancement factor by which defendant's sentence may be increased within appropriate range that defendant abused position of trust with parent or guardian of child victim that significantly facilitated commission of offense. Amends TCA Title 40, Chapter 35. by *Rochelle, *Person, *Graves, *Davis L, *Burks, *Kurita, *Williams. (HB2651 by *McMillan)

***Senate Bill No. 2369** -- Criminal Offenses - Creates Class A misdemeanor offense of viewing someone when they have reasonable expectation of privacy if viewing would offend reasonable victim and was done for purpose of sexual gratification of defendant. Amends TCA Title 39, Chapter 13, Part 6. by *Ramsey. (HB2511 by *Westmoreland)

***Senate Bill No. 2562** -- Campaigns - Prohibits candidate for public office in state election from using funds contributed to such person as candidate in federal election and from retaining or transferring such funds to campaign fund of such candidate in state election. Amends TCA Title 2, Chapter 10, Part 1. by *Cooper, *Cohen, *Clabough, *Williams. (HB3221 by *Odom)

***Senate Bill No. 2622** -- Cooperatives - Removes prohibition against members voting by mail at directorate district meeting. Amends TCA Section 65-25-208. by *Davis L. (HB2694 by *Walker (Rhea), *Curtiss)

***Senate Bill No. 2750** -- State Symbols - Requires all Tennessee state flags produced and all representations thereof to have included thereon legend sufficient to clearly indicate proper manner to fly or display such flag. Amends TCA Title 4, Chapter 1, Part 3. by *Rochelle, *Williams. (HB2635 by *Buck)

Senate Bill No. 2947 -- Utilities, Utility Districts - Provides that commissioners serving on board of the Bedford County utility district may not hold any other federal, state, county or local elected office; provides that four of commissioners shall be elected from specified districts and one commissioner shall be elected from county at large. Amends TCA Section 7-82-307(t). by *Womack. (*HB2629 by *Phillips)

Senate Bill No. 3114 -- State Employees - Authorizes commissioners of finance and administration, personnel and general services and executive director of fiscal review committee to select designees to be seated in their place on employee suggestion award board. Amends TCA Title 4, Chapter 27. by *Person, *Leatherwood. (*HB3042 by *Ford S)

RULES SUSPENDED

Rep. J. DeBerry moved that the rules be suspended for the purpose of introducing House Joint Resolution No. 507 out of order, which motion prevailed.

House Joint Resolution No. 507 -- Memorials, Public Service - E. Claude Gardner. by *DeBerry J, *Arriola, *Fowlkes, *Scroggs, *Kent, *White.

On motion, the rules were suspended for the immediate consideration of the resolution.

On motion of Rep. J. DeBerry, with the request that all members voting aye be added as sponsors, the resolution was adopted by the following vote:

Ayes..... 97
Noes 0

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Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Cocke), Davis (Washington), DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Hagood, Hargett, Hargrove, Harwell, Hassell, Head, Hood, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Patton, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stulce, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 97.

A motion to reconsider was tabled.

CONSENT CALENDAR

House Bill No. 3056 -- Business Organizations - Reduces from two to one number of persons required to form professional limited liability company. Amends TCA Title 48, Chapter 248, Part 1. by *Hargrove. (*SB2744 by *Rochelle)

On motion, House Bill No. 3056 was made to conform with **Senate Bill No. 2744**; the Senate Bill was substituted for the House Bill.

House Bill No. 2823 -- County Officers - Repeals additional compensation for county executives serving as county financial officer. - Repeals TCA Section 5-6-113. by *Kisber. (*SB2631 by *Henry)

On motion, House Bill No. 2823 was made to conform with **Senate Bill No. 2631**; the Senate Bill was substituted for the House Bill.

House Bill No. 2799 -- Taxes, Real Property - Authorizes comptroller to assess telecommunications tower properties, including tower, site improvements, land and supporting structures, for real property taxation purposes; authorizes comptroller to assess for taxation cellular or wireless telecommunications and telecommunications tower companies. Amends TCA Title 67, Chapter 5, Part 13; Title 67, Chapter 5, Part 5; Title 67, Chapter 5, Part 9 and Title 67, Chapter 4, Part 1. by *White. (*SB2632 by *Henry)

House Bill No. 2545 -- Boats, Boating - Requires watercraft being used to tow persons on water skis or other water sports devices to have person, at least 12 years of age, on board to constantly observe person being towed if such watercraft not equipped with rearview mirrors meeting specifications approved by wildlife resources commission. Amends TCA Section 69-10-507. by *Ferguson. (*SB2637 by *Burchett)

On motion, House Bill No. 2545 was made to conform with **Senate Bill No. 2637**; the Senate Bill was substituted for the House Bill.

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House Bill No. 2740 -- Highways, Roads and Bridges - Expands type of signs permitted on scenic highways to include directional signs of eight square feet or less for churches and non-profit educational institutions; signs must be located off roadway or highway right-of-way. Amends TCA Section 54-17-109. by *Montgomery, *Kerr, *Baird. (*SB2942 by *Clabough)

***House Bill No. 1574** -- Courts - Places restrictions on court reporters taking testimony before hearing examiner, judge, clerk, commissioner, notary public or official reporter; deposition not to be taken by person party to action, relative or employee of party to action, or any other person with financial interest in outcome of action; violation Class C misdemeanor; violation will also void deposition for use in action. by *Buck, *McMillan, *Scroggs, *Sands, *Briley, *Boyer, *Newton, *Beavers. (SB1762 by *Person)

***House Resolution No. 129** -- General Assembly, Review Or Ratification of Rules - Ratifies amendments to Tennessee Rules of Civil Procedure. by *Buck.

***House Resolution No. 130** -- General Assembly, Review Or Ratification of Rules - Ratifies amendments to Tennessee Rules of Criminal Procedure. by *Buck.

***House Resolution No. 131** -- General Assembly, Review Or Ratification of Rules - Ratifies amendments to Tennessee Rules of Appellate Procedure. by *Buck.

***House Resolution No. 132** -- General Assembly, Review Or Ratification of Rules - Ratifies amendments to Tennessee Rules of Evidence. by *Buck.

House Bill No. 2889 -- Cooperatives - Modifies certain provisions pertaining to electric cooperatives owning, operating or acquiring cable television system. Amends TCA Section 65-25-204 and Section 65-25-205. by *Rinks. (*SB2252 by *Rochelle)

On motion, House Bill No. 2889 was made to conform with **Senate Bill No. 2252**; the Senate Bill was substituted for the House Bill.

House Bill No. 2897 -- Surveyors - Exempts land surveyors born on or before 1/1/28, instead of 1/1/26, from continuing education requirements of TCA Title 62-18-106. Amends TCA Section 62-18-106. by *Rinks. (*SB2549 by *Cooper)

House Bill No. 2425 -- Sunset Laws - Commission on aging, June 30, 2006. Amends TCA Title 4, Chapter 29, and Title 71, Chapter 2. by *Kernell, *Garrett, *Brooks. (*SB2100 by *Springer)

On motion, House Bill No. 2425 was made to conform with **Senate Bill No. 2100**; the Senate Bill was substituted for the House Bill.

House Bill No. 2071 -- Sunset Laws - School bond authority, June 30, 2008 Amends TCA Title 4, Chapter 29, and Title 49, Chapter 3. by *Kernell, *Garrett, *Brooks. (*SB2011 by *Springer, *Springer)

On motion, House Bill No. 2071 was made to conform with **Senate Bill No. 2011**; the Senate Bill was substituted for the House Bill.

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House Bill No. 2090 -- Sunset Laws - Civil service commission, June 30, 2006. Amends TCA Title 4, Chapter 29 and Title 8, Chapter 30. by *Kernell, *Garrett, *Brooks. (*SB2018 by *Springer, *Dixon)

On motion, House Bill No. 2090 was made to conform with **Senate Bill No. 2018**; the Senate Bill was substituted for the House Bill.

House Bill No. 2445 -- Sunset Laws - Tennessee state public livestock market board, June 30, 2004. Amends TCA Title 4, Chapter 29, and Title 44, Chapter 12. by *Kernell, *Garrett, *Brooks. (*SB2086 by *Springer)

On motion, House Bill No. 2445 was made to conform with **Senate Bill No. 2086**; the Senate Bill was substituted for the House Bill.

House Bill No. 2114 -- Judgments - Redefines "judgment" and "decree" to include discretionary costs awarded pursuant to workers' compensation law for purposes of permitting post-judgment interest and amount of such interest. Amends TCA Title 47, Chapter 14 and Title 50, Chapter 6. by *Buck, *Cooper B. (*SB2118 by *Cohen)

***House Bill No. 2268** -- Motor Vehicles, Tinting and Registration - Deletes sworn statement and special authority prerequisites for county clerk to issue governmental service plates; authorizes commissioner to promulgate rules and regulations; deletes provision allowing head of state department to register vehicles directly with division of motor vehicles. Amends TCA Title 55, Chapter 4, Part 2. by *McKee. (SB2471 by *Miller J)

***Senate Joint Resolution No. 549** -- General Assembly, Confirmation of Appointment - A.C. Wharton, Jr., Tennessee Higher Education Commission. by *Ford J, *Atchley, *Blackburn, *Burchett, *Burks, *Carter, *Clabough, *Cohen, *Cooper, *Crowe, *Crutchfield, *Davis L, *Dixon, *Elsea, *Ford J, *Fowler, *Graves, *Harper, *Haun, *Haynes, *Henry, *Herron, *Kurita, *Kyle, *Leatherwood, *McNally, *Miller J, *Person, *Ramsey, *Rochelle, *Springer, *Wilder, *Williams, *Wormack.

House Joint Resolution No. 411 -- Memorials, Recognition - Hunters, fishers and people who protect and produce game and fish. by *Bittle, *Ridgeway, *McCord, *Westmoreland.

House Bill No. 3286 -- Bristol - Subject to local approval, allows city council to prohibit sale of admission tickets to events located within city limits for more than face value (ticket scalping); authorizes establishment of civil penalty for violation. Amends Chapter 84 of the Private Acts of 1991; as amended. by *Mumpower, *Godsey. (SB3271 by *Ramsey)

House Resolution No. 143 -- Memorials, Personal Occasion - Carolyn and Maurice Greif, 50th wedding anniversary. by *Ferguson.

House Joint Resolution No. 497 -- Memorials, Public Service - Hunter Safety Course instructors. by *Bittle, *Tidwell, *Curtiss, *McCord, *Stulce.

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House Joint Resolution No. 502 -- Memorials, Public Service - Nancy Krider Corley, Sumner County Legislator of the Year. by *Black, *McDonald.

House Joint Resolution No. 503 -- Memorials, Professional Achievement - Marcia Fudge, first female and African-American Mayor, Warrensville Heights, Ohio. by *DeBerry L, *Turner (Shelby), *Bowers, *Armstrong, *Miller L, *DeBerry J, *Jones U (Shelby).

House Joint Resolution No. 504 -- Memorials, Recognition - Prescott Central Middle School fifth graders. by *Hargrove.

House Joint Resolution No. 505 -- Memorials, Public Service - Interfaith Dental Clinic of Nashville. by *Hargrove.

House Joint Resolution No. 506 -- Memorials, Public Service - Dr. Willie W. Herenton, First African-American mayor of Memphis. by *Cooper B, *Jones U (Shelby), *Turner (Shelby), *Bowers, *Brooks, *Towns, *DeBerry J, *Chumney, *Pleasant, *Todd, *Hassell, *Hargett, *Kent, *Kernell, *DeBerry L.

House Joint Resolution No. 507 -- Memorials, Public Service - E. Claude Gardner. by *DeBerry J, *Arriola, *Fowlkes, *Scroggs, *Kent, *White.

House Joint Resolution No. 508 -- Memorials, Retirement - Roy Tarwater. by *Maddox.

Senate Joint Resolution No. 617 -- Memorials, Personal Occasion - Lois Phillips, 80th birthday. by *Burks.

Senate Joint Resolution No. 618 -- Memorials, Recognition - 13th Annual National D.A.R.E. Officer's Association Conference. by *Burks, *Harper.

Senate Joint Resolution No. 621 -- Memorials, Retirement - Wayne Scharber. by *Cooper, *Atchley, *Blackburn, *Burchett, *Burks, *Carter, *Clabough, *Cohen, *Cooper, *Crowe, *Crutchfield, *Davis L, *Dixon, *Elsea, *Ford J, *Fowler, *Graves, *Harper, *Haun, *Haynes, *Henry, *Herron, *Kurita, *Kyle, *Leatherwood, *McNally, *Miller J, *Person, *Ramsey, *Rochelle, *Springer, *Wilder, *Williams, *Womack.

Senate Joint Resolution No. 622 -- Memorials, Academic Achievement - Sean Christopher Slusher, Salutatorian, Gallatin High School. by *Graves.

Senate Joint Resolution No. 623 -- Memorials, Academic Achievement - Steven John Bartek - Valedictorian, Gallatin High School. by *Graves.

Senate Joint Resolution No. 626 -- Memorials, Professional Achievement - Winfield "Scotty" Moore, Rock and Roll Hall of Fame inductee. by *Cohen.

Senate Joint Resolution No. 627 -- Memorials, Public Service - Kevin Cable, Top Middle Level Student Volunteer. by *Crowe.

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Senate Joint Resolution No. 631 -- Memorials, Academic Achievement - Nikki Deason, 2000 Valedictorian, Jo Byrnes High School. by *Graves.

Senate Joint Resolution No. 632 -- Memorials, Academic Achievement - Brandy Renee Clinard, Salutatorian, Jo Byrnes High School. by *Graves.

Senate Joint Resolution No. 633 -- Memorials, Public Service - Bryce Galen, Prudential Spirit of Community Award winner. by *Davis L, *McNally.

Senate Joint Resolution No. 635 -- Memorials, Sports - Central Middle School boys' basketball team, TMSSA state champions. by *Womack.

Senate Joint Resolution No. 637 -- Memorials, Public Service - Viola Batts, Juvenile Court Hostess, Memphis. by *Person, *Kyle, *Leatherwood.

Senate Joint Resolution No. 638 -- Memorials, Academic Achievement - Catherine Plumlee, Salutatorian, Springfield High School. by *Graves.

Senate Joint Resolution No. 639 -- Memorials, Academic Achievement - Jodie Tate, 2000 Valedictorian, Springfield High School. by *Graves.

Senate Joint Resolution No. 640 -- Memorials, Academic Achievement - Chad Gregory, Valedictorian, Springfield High School. by *Graves.

Senate Joint Resolution No. 641 -- Memorials, Academic Achievement - Goldie Lee Coombs, Valedictorian, Springfield High School. by *Graves.

Senate Joint Resolution No. 642 -- Memorials, Academic Achievement - Tammy Faye Hollon, 2000 Valedictorian, Springfield High School. by *Graves.

Senate Joint Resolution No. 643 -- Memorials, Academic Achievement - Dale Rawls, 2000 Valedictorian, Springfield High School. by *Graves.

Senate Joint Resolution No. 644 -- Memorials, Academic Achievement - Rich Webb, 2000 Valedictorian, Springfield High School. by *Graves.

Senate Joint Resolution No. 645 -- Memorials, Academic Achievement - Amy Pinson, 2000 Salutatorian, Greenbrier High School. by *Graves.

Senate Joint Resolution No. 646 -- Memorials, Academic Achievement - Erin McBride, 2000 Valedictorian, Greenbrier High School. by *Graves.

Senate Joint Resolution No. 647 -- Memorials, Academic Achievement - Daniel Stemann, Co-Valedictorian, White House High School. by *Graves.

Senate Joint Resolution No. 648 -- Memorials, Academic Achievement - Donald Derek Drake, Co-Valedictorian, White House High School. by *Graves.

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Senate Joint Resolution No. 650 -- Memorials, Retirement - Mabel Blevins. by *Davis L.

Senate Joint Resolution No. 651 -- Memorials, Public Service - Vera Button. by *Davis L.

Senate Joint Resolution No. 652 -- Memorials, Death - Helen Lane. by *Davis L.

Senate Joint Resolution No. 653 -- Memorials, Heroism - Darnell Gammon. by *Davis L.

Senate Joint Resolution No. 654 -- Memorials, Heroism - Jimmy Dale. by *Davis L.

Senate Joint Resolution No. 655 -- Memorials, Heroism - Williard Green, World War II veteran. by *Davis L.

Senate Joint Resolution No. 656 -- Memorials, Death - Sylvester Sartor, Sr. by *Ford J.

Senate Joint Resolution No. 657 -- Memorials, Professional Achievement - Siskin Steel and Supply Company, 100th anniversary. by *Fowler, *Cohen, *Crutchfield, *Kyle.

Senate Joint Resolution No. 658 -- Memorials, Public Service - Minnie Pearl Rains Johnson, Fentress County teacher. by *Davis L.

Senate Joint Resolution No. 659 -- Memorials, Death - Katy Gore. by *Henry, *Atchley, *Blackburn, *Burchett, *Burks, *Carter, *Clabough, *Cohen, *Cooper, *Crowe, *Crutchfield, *Davis L, *Dixon, *Elsa, *Ford J, *Fowler, *Graves, *Harper, *Haun, *Haynes, *Henry, *Herron, *Kurita, *Kyle, *Leatherwood, *McNally, *Miller J, *Person, *Ramsey, *Rochelle, *Springer, *Wilder, *Williams, *Womack.

Senate Joint Resolution No. 660 -- Memorials, Personal Occasion - Jimmie and Charlotte Hart, 50th Wedding Anniversary. by *Herron.

Senate Joint Resolution No. 661 -- Memorials, Professional Achievement - Dr. James "Mickey" Hatcher, Tennessee Elementary School Principal of the Year. by *Haun.

Senate Joint Resolution No. 662 -- Memorials, Recognition - Dixon's Creek Missionary Baptist Church, 200th Anniversary. by *Rochelle.

On previous motion, the House adopted House Joint Resolution No. 507.

Rep. Cooper moved that all members voting aye on House Joint Resolution No. 506 be added as sponsors, which motion prevailed.

Rep. Ridgeway moved that all members voting aye on Senate Joint Resolution No. 621 be added as sponsors, which motion prevailed.

Rep. Bowers moved that all members voting aye on Senate Joint Resolution No. 549 be added as sponsors, which motion prevailed.

OBJECTION -- CONSENT CALENDAR

Objection(s) was/were filed to the following on the Consent Calendar:

House Bill No. 2740: by Rep. Odom

House Bill No 3286: by Rep. Buck

Under the rules, House Bill(s) No(s). 2740 and 3286 was/were placed at the foot of the calendar for March 9, 2000.

Pursuant to **Rule No. 50**, Rep. Miller moved that all House Bills having companion Senate Bills and are on the Clerk's desk be conformed and substituted for the appropriate House Bill, all Senate and House Bills on the Consent Calendar be passed on third and final consideration, all House Resolutions and House Joint Resolutions be adopted, and all Senate Joint Resolutions on the Consent Calendar be concurred in, which motion prevailed by the following vote:

Ayes.....	97
Noes	0

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Cocke), Davis (Washington), DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Hagood, Hargett, Hargrove, Harwell, Hassell, Head, Hood, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Patton, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stulce, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 97.

A motion to reconsider was tabled.

REGULAR CALENDAR

House Bill No. 2715 -- Civil Procedure - Prohibits attachment, execution, or seizure of works of art while in transit to or on exhibition at non-profit gallery or institution for cultural or educational purpose and not conducted for profit of exhibitor. by *Pruitt, *West, *Bone, *Garrett, *Briley, *Jones, S., *Robinson, *Arriola, *Odom, *Langster. (*SB2820 by *Harper)

Rep. Pruitt moved that House Bill No. 2715 be passed on third and final consideration.

Rep. Buck moved adoption of Judiciary Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND House Bill No. 2715 by deleting from the amendatory language of SECTION 1 the language "for any cause whatever in the hands of the authorities" and substituting instead the language "for any cause whatever while in the hands of the authorities."

On motion, Judiciary Committee Amendment No. 1 was adopted.

Rep. Buck moved adoption of Judiciary Committee Amendment No. 2 as follows:

Amendment No. 2

AMEND House Bill No. 2715 by adding the following as a new paragraph at the end of the amendatory language of SECTION 1:

Nothing in this act shall prevent a lawsuit being brought against an owner of a work of art in any court having proper jurisdiction over such owner.

On motion, Judiciary Committee Amendment No. 2 was adopted.

Rep. Pruitt moved that **House Bill No. 2715**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes..... 97
Noes 0

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Cocke), Davis (Washington), DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Hagood, Hargett, Hargrove, Harwell, Hassell, Head, Hood, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odum, Patton, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stulce, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 97.

A motion to reconsider was tabled.

House Bill No. 2819 -- Bond Issues - Allows longer term renewals on state revenue anticipation notes. Amends TCA Title 9, Chapter 9. by *Kisber. (*SB2629 by *Henry, *Dixon)

On motion, House Bill No. 2819 was made to conform with **Senate Bill No. 2629**; the Senate Bill was substituted for the House Bill.

Rep. Kisber moved that Senate Bill No. 2629 be passed on third and final consideration.

Rep. Head moved adoption of Finance, Ways and Means Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND Senate Bill No. 2629 by deleting all language after the enacting clause and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 9-9-102, is amended by deleting the section in its entirety and by substituting instead the following:

9-9-102. The commissioner of finance and administration shall maintain, or cause to be maintained, records that shall show payments made into and disbursements made out of the state debt service fund.

SECTION 2. Tennessee Code Annotated, Sections 9-9-107, 9-9-108, 9-9-109 and 9-9-110 are amended by deleting the sections in their entirety and by substituting instead the following:

9-9-107. The state funding board shall provide for the payment of the principal of and interest on all obligations issued under the provisions of this chapter, and other obligations issued in anticipation thereof as authorized by law, as the same shall become due, out of revenues and funds available for such purposes. All funds paid to the state funding board under the provisions of this chapter shall be dedicated to and applied solely to such purposes or as otherwise specified in this chapter.

9-9-108. The state funding board may:

(1) deposit funds and revenues paid to it in the pooled investment fund authorized by § 9-4-603 or in a deposit account at a bank or trust company located within or without the state of Tennessee, which will give such security for such deposit of the kind and type now required by law for the deposit of other state funds; or

(2) transfer cash, pending its application to the payment of the principal of or interest on the outstanding obligations of the state, into a fiduciary or trust account with a bank or trust company located within or without the state of Tennessee, under terms as the board may require to ensure the safety of the funds.

9-9-109. The state funding board is expressly authorized to contract with a bank or trust company located within or without the state of Tennessee to act as a custodian for securities held by or for the benefit of the board, including collateral pledged pursuant to Section 9-9-108(1), under terms as the board may require to ensure the safety of the securities.

9-9-110. Cash in the hands of the state funding board not immediately required for the payment of the principal of or interest on outstanding obligations of the state and held as provided by Section 9-9-108 may be invested, in the board's discretion, in general obligation debt of the state of Tennessee or in any other obligations which are legal for the investment of funds of the state of Tennessee, with such yield and maturity as determined by the board after consultation with the state treasurer.

SECTION 3. Tennessee Code Annotated, Section 9-9-114, is amended by deleting the section in its entirety and by substituting instead the following:

9-9-114. The secretary of the funding board shall keep, or cause to be kept, appropriate records concerning the payment of obligations of the state issued under the provisions of this chapter, including information regarding items redeemed.

SECTION 4. Tennessee Code Annotated, Section 9-9-119, is amended by deleting the section in its entirety and by substituting instead the following:

9-9-119. The commissioner of finance and administration shall keep, or cause to be kept, appropriate records showing the amount of interest due on the obligations of the state issued for any purpose; and shall cause records to be kept so as to furnish satisfactory information as to the condition of the state's indebtedness at the end of each fiscal year.

SECTION 5. Tennessee Code Annotated, Section 9-9-301(a), is amended by deleting the phrase "not exceeding thirty (30) days from the date of issuance of the original note or notes," in the second sentence.

SECTION 6. This act shall take effect upon becoming law, the public welfare requiring it.

On motion, Finance, Ways and Means Committee Amendment No. 1 was adopted.

Rep. Kisber moved that **Senate Bill No. 2629**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.....	97
Noes	0

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Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Cocke), Davis (Washington), DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Hagood, Hargett, Hargrove, Harwell, Hassell, Head, Hood, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Patton, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stulce, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 97.

A motion to reconsider was tabled.

House Bill No. 2898 -- Accountants - Authorizes board of accountancy to allow persons completing educational requirements within 120 days to take accountancy examination. Amends TCA Title 62, Chapter 1, Part 1. by *Rinks. (*SB2296 by *Atchley)

Rep. Rinks moved that House Bill No. 2898 be passed on third and final consideration.

On motion, Rep. Rhinehart withdrew Commerce Committee Amendment No. 1, which motion was immediately withdrawn.

Rep. Rhinehart moved adoption of Commerce Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND House Bill No. 2898 by deleting Section 1 in its entirety and inserting in lieu thereof the following:

SECTION 1. (a) Tennessee Code Annotated, Section 62-1-106(c), is amended by deleting the language "apply for the examination prescribed in subsection (d)" and substituting instead the language "receive the certificate described in Section 62-1-107".

(b) Tennessee Code Annotated, Section 62-1-106(c), is further amended by adding the following language after the last sentence:

The board may admit to the examination prescribed in this subsection any candidate who will complete the educational requirements of this subsection within one hundred twenty (120) days immediately following the date of the examination or who has completed these requirements; provided, however, that the board shall not report the results of the examination until the candidate has met the educational requirements of this subsection, and the board shall not report the scores of a candidate who, having taken the examination, fails to satisfy the educational requirements of this subsection within the one hundred twenty (120) days allotted herein.

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On motion, Commerce Committee Amendment No. 1 was adopted.

Rep. Rinks moved that **House Bill No. 2898**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes..... 97
Noes 0

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Cocke), Davis (Washington), DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Hagood, Hargett, Hargrove, Harwell, Hassell, Head, Hood, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Patton, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stulce, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 97.

A motion to reconsider was tabled.

House Bill No. 2472 -- TennCare - Requires bureau of TennCare to file quarterly reports on certain information, copy to fiscal review committee. Amends TCA Title 3, Chapter 15. by *Wood, *Walker (Rhea), *Sharp, *Bittle, *Scroggs, *Sargent, *Mumpower, *Hagood, *Godsey, *Beavers, *Davis (Washington), *Pleasant, *Dunn, *Montgomery, *Hargett, *Newton, *Goins, *Patton, *Bunch, *Boyer, *Baird, *Black. (*SB2911 by *Clabough)

Rep. Wood moved that House Bill No. 2472 be passed on third and final consideration.

Rep. Jackson moved the previous question, which motion prevailed.

Rep. Wood moved that **House Bill No. 2472** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes..... 94
Noes 0

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Cocke), Davis (Washington), DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Givens, Godsey, Goins, Gunnels, Hagood, Hargett, Hargrove, Harwell, Hassell, Head, Hood, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Patton, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stulce, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood -- 94.

A motion to reconsider was tabled.

MESSAGE CALENDAR

HOUSE ACTION ON SENATE MESSAGE

***Senate Bill No. 436** -- Credit and Debit Cards - Prohibits public institutions of higher education from selling or distributing student lists to credit card issuers; prohibits credit card issuers from attempting to secure such lists. Amends TCA Title 49, Chapter 7. by *Dixon. (HB538 by *DeBerry L, *Bowers, *Brooks, *Givens, *Langster, *DeBerry J, *Beavers, *Newton, *Black, *Phelan, *Montgomery)

CONFERENCE COMMITTEE APPOINTED
ON SENATE BILL NO. 436

Pursuant to **Rule No. 73**, Representative L. DeBerry moved that the Speaker appoint a Committee of the House to meet with a like Committee of the Senate to resolve the differences between the two bodies on Senate Bill No. 436, which motion prevailed.

The Speaker appointed Representatives L. DeBerry, Givens and Beavers as the House members of the Conference Committee on Senate Bill No. 436.

HOUSE ACTION ON SENATE AMENDMENTS

House Bill No. 876 -- Consumer Protection - Prohibits advertising as electrician for hire when such person has not attained standards of competency or experience required for electricians by applicable local or state governmental entity; designates such activity as unfair or deceptive act. Amends TCA Title 47, Chapter 18, Part 1, by *Kerr. (*SB844 by *Fowler)

Senate Amendment No. 1

AMEND House Bill No. 876 By deleting in its entirety all the language following the enacting clause, and by substituting instead the following language:

SECTION 1. Tennessee Code Annotated, Section 47-18-104(b), is amended by adding the following language as a new, appropriately designated subdivision:

() Advertising that a person is an electrician for hire when such person has not been licensed by a local jurisdiction to perform electrical work within such jurisdiction or by the state as a limited licensed electrician or contractor, as appropriate or, if no such licenses are then available, such person is registered with the state;

SECTION 2. This act shall take effect July 1, 2000, the public welfare requiring it.

Rep. Kerr moved that the House nonconcur in Senate Amendment(s) No(s). 1 to **House Bill No. 876**, which motion prevailed.

HOUSE ACTION ON SENATE MESSAGE

Senate Bill No. 1882 -- Education - Requires student to be enrolled in school under name that appears on certificate of birth and to use that throughout school career. Amends TCA Title 49, Chapter 6, Part 51. by *Davis L. (*HB1840 by *Ferguson, *Turner (Hamilton))

Rep. Ferguson moved that the House refuse to recede from its action in adopting Amendment(s) No(s). 3 to Senate Bill No. 1882, which motion prevailed.

HOUSE ACTION ON SENATE AMENDMENTS

House Bill No. 2997 -- Wartrace - Subject to local approval, rewrites charter Amends Chapter 214 of the Acts of 1903; as amended. by *Phillips. (SB3127 by *Womack)

Without objection, House Bill No. 2997 was reset for the Message Calendar on March 9, 2000.

UNFINISHED BUSINESS

BILL RECALL

Rep. Buck requested that House Bill No. 2904 be recalled from the Governor's desk, which motion prevailed.

RULES SUSPENDED

Rep. Walley moved that the rules be suspended for the purpose of introducing House Joint Resolution No. 509 out of order, which motion prevailed.

House Joint Resolution No. 509 -- Memorials, Sports - Covington High School Chargers, 1999 TSSAA Class AA State Baseball Champions. by *Naifeh.

On motion, the rules were suspended for the immediate consideration of the resolution.

On motion of Rep. Walley, the resolution was adopted.

A motion to reconsider was tabled.

SPECIAL ORDER

Without objection, Rep. Buck requested that House Bill No. 1444 be placed on the Message Calendar for March 9, 2000.

MOTION TO RESET BILLS

On motion of Rep. Hargrove, and seconded by Rep. McDaniel, all bills placed on the Calendars for Wednesday, March 8, 2000 were reset for the Calendars for Thursday, March 9, 2000.

SPONSORS ADDED

Under **Rule No. 43**, the following members were permitted to add their names as sponsors as indicated below, the prime sponsor of each having agreed to such addition:

House Joint Resolution No. 489: Rep(s). Rhinehart and Harwell as prime sponsor(s).

House Bill No. 2333: Rep(s). Fitzhugh as prime sponsor(s).

House Bill No. 2488: Rep(s). Cooper as prime sponsor(s).

House Bill No. 2737: Rep(s). S. Jones, Fitzhugh, Maddox and McDonald as prime sponsor(s).

House Bill No. 2752: Rep(s). Cooper as prime sponsor(s).

House Bill No. 2759: Rep(s). Briley as prime sponsor(s).

House Bill No. 2987: Rep(s). Sands as prime sponsor(s).

House Bill No. 3168: Rep(s). Fitzhugh as prime sponsor(s).

ENGROSSED BILLS

March 8, 2000

The following bills have been examined, engrossed, and are ready for transmission to the Senate: House Bill(s) No(s). 1574, 2114, 2268, 2472, 2715, 2799, 2897, 2898, also, House Joint Resolution(s) No(s) 411, 497, 502, 503, 504, 505, 506, 507, 508 and 509.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

ROLL CALL

The roll call was taken with the following results:

Present 96

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Representatives present were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Cocke), Davis (Washington), DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Godsey, Goins, Gunnels, Hagood, Hargett, Hargrove, Harwell, Hassell, Head, Hood, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Patton, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stulce, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 96.

RECESS MOTION

On motion of Rep. Hargrove, the House stood in recess until 9:00 a.m., Thursday, March 9, 2000.